

FILED
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U.S. DISTRICT COURT E.D.N.Y.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MG-1283

★ FEB 13 2008 ★
JP

UNITED STATES OF AMERICA, EX REL.
JOSEPH PIACENTILE,

FILED UNDER SEAL

Plaintiff,

-against-

NEW YORK HYPERBARIC & WOUND CARE,
CENTERS, LLC, KEITH G. GREENBERG,
MONTEFIORE MEDICAL CENTER, FRANK J.
VEITH, M.D., LONG BEACH MEDICAL
CENTER, PASSAIC BETH ISRAEL HOSPITAL,
BETH ISRAEL MEDICAL CENTER, and
NEW YORK WESTCHESTER SQUARE
MEDICAL CENTER,

Civil Action No.
CV 03-5143

(Gleeson, J.)
(Gold, M.J.)

Defendants.

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The United States having declined to intervene in this action pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B), and the Relator having voluntarily dismissed this action without prejudice, the Court rules as follows:

1. The Complaint, the Government's Notice of Election to Decline Intervention, this Order and the Stipulation of Dismissal shall be unsealed. All other contents of the Court's file in this action shall remain under seal and not be made public or served upon the defendants.
2. In the event that the Relator seeks to commence a new action based upon the same facts and circumstances as those alleged in the complaint herein, the Relator shall follow the procedures set forth in the False Claims Act, 31 U.S.C. § 3730(b)(2) and the United States

shall have the right to intervene, under the same terms and conditions as set forth in that section.

SO ORDERED,

This 7th day of February, 2008

s/John Gleeson

JOHN GLEESON

United States District Judge